

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: NAKAYAMA et al.

Art Unit: 2877

Application No. 09/828,301

Filed: April 6, 2001

For: APPARATUS AND METHODS FOR
MEASURING SURFACE PROFILES AND
WAVEFRONT ABERRATIONS, AND LENS
SYSTEMS COMPRISING SAME

Examiner: (Unknown)

Date: September 13, 2001

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being
attached or enclosed herewith are being deposited with the United States
Postal Service on September 13, 2001 as First Class Mail in an envelope
addressed to: COMMISSIONER FOR PATENTS, WASHINGTON, D.C.
20231.

Donald L. Stephens Jr.
Attorney for Applicant

TRANSMITTAL LETTER

COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Enclosed is a Response to Notice of Incomplete Reply for the above application.

- ☒ No additional fee is required.
- ☒ Please charge any additional fees that may be required in connection with filing this response and any extension of time, or credit any overpayment, to Deposit Account No. 02-4550. A copy of this sheet is enclosed.
- ☒ Please return the enclosed postcard to confirm that the items listed above have been received.

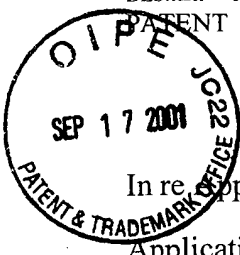
Respectfully submitted,

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By *Donald L. Stephens Jr.*
Donald L. Stephens Jr.
Registration No. 34,022

cc: Docketing



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In re Application of: NAKAYAMA et al.

Art Unit: 2877

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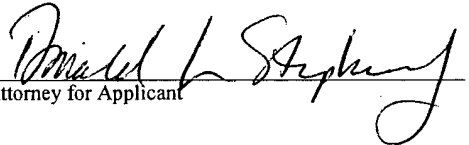
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Attorney for Applicant

COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

RESPONSE TO NOTICE OF INCOMPLETE REPLY

This paper is in response to the Notice of Incomplete Reply ("Notice"; copy enclosed herewith) dated September 5, 2001.

The Notice contends that inventor Gemma did not sign the Declaration. This contention is incorrect. Inventor Gemma properly executed the Declaration on the appropriate line, as shown in the attached copy of the Declaration (**Exhibit A**) that was sent to the PTO July 11, 2001.

It must be kept in mind that the inventors named in this application are Japanese citizens who commonly are not experienced in writing in English, especially using English script. When such a person signs his name in a manner legible to an English speaker, the person frequently signs the name in a manner that appears as if he printed his name. Nevertheless, it is a signature.

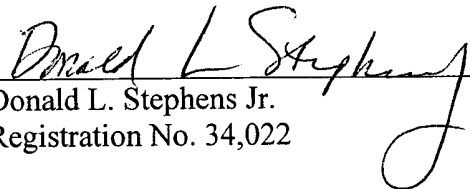
In this regard, attention is directed to inventor Takigawa's signature on page 3 of the Declaration, which also appears to have been printed. Nevertheless, it is a signature, and the PTO apparently accepted it as such.

In view of the above, Applicants indeed made a complete reply to the Notice to File Missing Parts. Therefore, no fee is required and withdrawal of the contention that Applicants' reply was incomplete is requested.

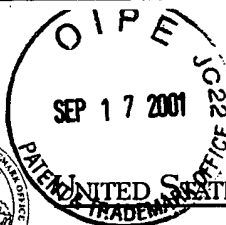
Respectfully submitted,

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UNITED STATES PATENT AND TRADEMARK OFFICE

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WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/828,301	04/06/2001	Shigeru Nakayama	4641-58305

CONFIRMATION NO. 6580

FORMALITIES LETTER



OC000000006514838

KLARQUIST SPARKMAN CAMPBELL
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One World Trade Center
121 S.W. Salmon Street, Suite 1600
Portland, OR 97204

Date Mailed: 09/05/2001

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 07/16/2001 to the Notice to File Missing Parts (Notice) mailed 05/11/2001 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

- The signature of the following inventor(s) is missing from the oath or declaration:
Takashi Gemma

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE